United Nations A/HRC/RES/28/17

General Assembly

Distr.: General
9 April 2015

Original: English

Human Rights Council
Twenty-eighth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Resolution adopted by the Human Rights Council

28/17. Effects of terrorism on the enjoyment of human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and other relevant international human rights instruments,

Recalling relevant resolutions of the General Assembly, the Security Council, the Commission on Human Rights and the Human Rights Council concerning terrorism, including Assembly resolutions 46/51 of 9 December 1991, 60/288 of 8 September 2006, 64/297 of 8 September 2010, 66/10 of 18 November 2011 on the United Nations Counter-Terrorism Centre established on the initiative of the United Nations and Saudi Arabia, and 68/178 of 18 December 2013, Commission resolution 2004/44 of 19 April 2004 and Human Rights Council resolution 25/7 of 27 March 2014, and reaffirming its commitment to the United Nations Global Counter-Terrorism Strategy and its four pillars, adopted by the Assembly in its resolution 60/28 of 8 September 2006,

Reaffirming that all human rights, civil, political, economic, social and cultural rights are universal, indivisible, interdependent and interrelated,

Recognizing that the objectives of countering terrorism and of the protection and promotion of human rights are not conflicting but complementary and mutually reinforcing,

Taking note of the report of the United Nations High Commissioner for Human Rights on the protection of human rights and fundamental freedoms while countering terrorism,[1]

[1] A/HRC/28/28

GE.15-07389 (E)
1507389

Please recycle

Reaffirming its strongest condemnation of the continuing heinous acts of terrorism that have indiscriminately caused enormous loss of human life, destruction and damage to societies, detrimentally affected human rights, such as the right to life and security of person, undermined the rule of law and democratic freedoms, threatened socioeconomic development and impeded the full realization of the economic, social and cultural rights that are indispensable for human dignity and development of the human personality, thus representing a grave threat to international peace and security,

Reaffirming that acts, methods and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of human rights, fundamental freedoms and democracy, thus threatening the territorial integrity and security of States and destabilizing legitimately constituted Governments, and that the international community should take the steps necessary to enhance cooperation to prevent and combat terrorism,

Condemning unequivocally all acts, methods and practices of terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, as criminal and unjustifiable, and renewing its commitment to strengthen international cooperation to prevent and combat terrorism,

Expressing deep concern at the fact that some grave crimes committed by terrorist groups, including mercenaries and foreign fighters, have targeted persons and groups on the basis of their ethnic and religious background,

Reaffirming that States must ensure that any measures taken to counter terrorism should be in line with national legislation and in conformity with international law, in particular international human rights law and international humanitarian law,

Recalling its resolution 16/18 of 24 March 2011 and the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence as important tools to counter violent extremism, and calling for their effective implementation by the international community as a means to deprive radical groups and individuals of any justification for violent extremism on the grounds of ethno-religious stigmatization and discrimination,

1. *Strongly condemns* all terrorist acts and expresses grave concern at their detrimental effects on human rights, including the right to life, liberty and security of person;

2. *Condemns* all terrorist acts on State institutions, public sites, individual property, national monuments and historical and cultural relics;

3. *Expresses its concern* that terrorist groups have targeted entire population segments indiscriminately, and in some cases on the basis of their ethnic and religious backgrounds;

4. *Reaffirms* the primary responsibility of the State to protect its citizens against terrorism;

5. *Urges* all States to deny all forms of support for terrorist groups, including financial support, and to deny safe haven to those who incite, plan, finance, support or commit terrorist acts;

6. *Reiterates* the obligation of States to prevent and suppress the financing of terrorist acts, including ransom payment, and to criminalize the wilful provision or collection by any means, directly or indirectly, of funds by their nationals or in their territories, with the intention that the funds be used, or with the knowledge that they are to be used, to carry out terrorist acts;

7. *Urges* States to take appropriate measures to duly investigate the incitement, preparation, instigation or commission of acts of terrorism and, where appropriate, to prosecute, convict and punish those engaged in such acts in accordance with national criminal laws and procedure;

8. *Calls upon* States to strengthen further their national laws and mechanisms on countering terrorism;

9. *Condemns* incitement to violence and terrorism by any means, in particular through the media, and in that regard highlights the complex challenges associated with the increasing use of social media and information and communications technology in inciting violence and terrorism;

10. *Reaffirms its unequivocal condemnation* of all acts, methods, practices and financing of terrorism as criminal and unjustifiable, renews its commitment to strengthen international cooperation to prevent and combat terrorism, and in that regard calls upon States and relevant regional and subregional organizations, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy and its four pillars;

11. *Calls upon* all national and regional institutions and relevant civil society organizations, as appropriate, to advance tolerance and non-violence and more broadly to promote initiatives to build resilience against the recruitment of terrorists;

12. *Expresses its solidarity* with the victims of terrorism and their families, and acknowledges the importance of considering the needs of the victims of terrorism and preserving their human rights in such a way that requires the enhancement of international cooperation and the exchange of expertise in that respect;

13. *Encourages* States to provide satisfaction, reparation and rehabilitation for victims in accordance with the relevant national laws from within available resources;

14. *Urges* States and the international community to take measures, including through education, awareness-raising, the media and human rights educational activities and training, to effectively address the underlying factors of terrorism and the factors that make individuals and groups more vulnerable to the effects of terrorism and increase their propensity to be recruited by terrorists;

15. *Invites* all treaty bodies, special procedures mandate holders, relevant international and regional human rights mechanisms and the United Nations High Commissioner for Human Rights, within their respective mandates, to pay due attention to the negative impact of terrorism on the enjoyment of all human rights and fundamental freedoms;

16. *Decides* to convene, at its twenty-ninth session, a panel discussion on the effects of terrorism on the enjoyment by all persons of human rights and fundamental freedoms, and requests the High Commissioner to liaise with States and all stakeholders, including the relevant United Nations bodies, agencies and programmes, treaty bodies, special procedures mandate holders, national human rights institutions and civil society organizations with a view to ensuring their participation in the panel discussion;

17. *Requests* the High Commissioner to prepare a report on the panel discussion in the form of a summary and to submit it to the Human Rights Council at its thirtieth session.

56th meeting
26 March 2015

[Adopted by a recorded vote of 25 to 16, with 6 abstentions. The voting was as follows:

In favour:

Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Ethiopia, India, Indonesia, Kenya, Maldives, Morocco, Nigeria, Pakistan, Paraguay, Russian Federation, Saudi Arabia, Sierra Leone, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

Against:

Albania, Estonia, France, Germany, Ireland, Japan, Latvia, Mexico, Montenegro, Netherlands, Portugal, Republic of Korea, South Africa, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Botswana, Gabon, Ghana, Kazakhstan, Namibia, Qatar]